

REMARKS/ARGUMENTS

Favorable reconsideration of this application is requested.

Claim 1-20 are present in this application. Claim 20 is objected to for an informality. Claims 1-4, 10-13 and 19 are rejected under 35 U.S.C. § 102(b) over U.S. 2005/0027984 (Saito et al.). Claims 5-9, 14-18 and 20 are rejected under 35 U.S.C. § 103(a) over Saito et al. in view of U.S. 2003/0197488 (Hulvey).

Claims 1, 10 and 19 are amended to recite the parameters being capable of switching whether the RTT is temporarily shortened. Support for the amended claim language is believed to be found, for example, in the non-limiting disclosure of Figures 9-11. No new matter is believed to be added.

With regard to claim 20, a computer readable “recording medium” is recited in claim 19 providing antecedent basis for the “recording medium” recited in claim 20. Withdrawal of the objection to claim 20 is respectfully requested.

The claims of the present application are directed to a transmitter, receiver and recording medium storing a communication control program. In the transmitter, a communication permission determination unit permits transmission of contents based upon a result of the round trip time (RTT) measurement. The parameter modification unit changes parameters of the wireless network, which can take place before and after the RTT measurement. The parameters are capable of switching whether the RTT is temporarily shortened. The claimed transmitter has the advantageous effects in which contents can be transmitted only within physically restricted range, such as inside the home, and in which even if intermittent communication is performed in the sniff mode or the polling interval in Bluetooth, it is possible to accurately measure RTT, thereby correctly and easily determining whether transmission of the content should be permitted. By temporarily switching the parameters, it is possible to temporarily shorten the RTT.

Turning to the prior art rejections, Saito et al. discloses that during a registration mode, a short range transmitter is powered on. Page 3 of the Office Action states that “the parameters are changing going into the registration mode (before RTT) and are changed back once registration is completed or fails (after RTT).” However, the parameters in Saito et al. cannot switch whether the RTT is temporarily shortened, as recited in claim 1 where the parameter modification unit is configured to change parameters of the wireless network, the parameters being capable of switching whether the RTT is temporarily shortened. As discussed above, by using the parameters of the transmitter of claim 1, it is possible to accurately measure the RTT.

Changing the parameters in the transmitter of claim 1, which can occur before and after the RTT measurement, makes it possible to accurately measure the RTT as long as the parameters are not properly set. For example, when the parameters correspond to the sniff mode, the RTT becomes longer than the correct time. In the transmitter of claim 1, before the RTT is measured, the parameters are switched. The parameter modification unit configured to change the parameter is clearly not disclosed or suggested by Saito et al.

It also follows that Saito et al. does not disclose or suggest the receiver of claim 10 which includes a parameter modification unit configured to change parameters of the wireless network, the parameters being capable of switching whether the RTT is temporarily shortened, for the reasons discussed above with respect to claim 1.

Claim 20 recites a program, when executed, causes a computer to perform a method including changing parameters of the wireless network, the parameters being capable of switching whether the RTT is temporarily shortened. Referring to the above discussion of Saito et al., there is no disclosure of changing parameters of the wireless network, the parameters being capable of switching whether the RTT is temporarily shortened. Saito et al. is relied upon only for the parameters changing going into the registration mode and changing

back after completing the registration. Such disclosure does not suggest changing the parameters as recited in claim 19.

The claims of the present application are patentable over Saito et al.

Hulvey is relied upon for teaching a Bluetooth wireless network and the parameter modification unit changing at least one of a sniff interval expressing transmission and reception interval, a polling interval, transmission power and master-slave prescribed by a standard of Bluetooth as parameters, as stated in page 7 of the Office Action. However, Hulvey also does not disclose the parameter changing unit of claims 1 and 10 or a computer readable medium storing a program including changing parameters of the wireless network as recited in claim 19, where the parameters are capable of switching whether the RTT is temporarily shortened. Hulvey does not remedy the deficiencies noted above in Saito et al., and a combination of Saito et al. and Hulvey further fails to disclose or suggest the transmitter of claim 1, the receiver of claim 10 or the computer readable recording medium of claim 19. The claims of the present application are also patentable over Saito et al. considered with Hulvey.

It is respectfully submitted that the present application is in condition for allowance, and a favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Carl E. Schlier
Registration No. 34,426